

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION

YVONNE M. REEVES, )  
Plaintiff, ) Civil Action No. 1:11-cv-374  
v. ) Judge Collin  
BECHTEL CORPORATION and ) Magistrate Judge Lee  
LOCAL #846 LABORERS UNION, )  
Defendants. )

**DEFENDANT LOCAL #846'S MOTION TO DISMISS  
FOR FAILURE TO STATE A CLAIM  
UPON WHICH RELIEF CAN BE GRANTED**

Local #846 Laborers Union moves to dismiss the pro se complaint of Yvonne M. Reeves for failure to state a claim upon which relief can be granted. As is demonstrated in a supporting memorandum, the complaint is based on a violation of 42 U.S.C. § 1983, but does not allege or suggest Local #846 Laborers Union is a person acting under color of state law.

The memorandum of law is filed simultaneously herewith.

Respectfully submitted,

s/R. Jan Jennings  
R. Jan Jennings, BPR No. 1536  
*Branstetter, Stranch & Jennings, PLLC*  
227 Second Avenue North, 4th Floor  
Nashville, TN 37201-1631  
Tel. (615) 254-8801  
Email: jan@branstetterlaw.com

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing has been served via United States First Class Mail with adequate postage affixed thereon to:

Yvonne Reeves  
4411 Bonny Oaks Drive  
Chattanooga, TN 37416

This 14<sup>th</sup> day of February, 2012.

s/R. Jan Jennings  
R. Jan Jennings